



U. S. Department of Justice

Office of Res:

Supervisor of Education

Federal Bureau of Prisons  
Federal Correctional Institution  
Phoenix, Arizona 85086

**Number:** 1315.07f  
**Date:** August 20, 2009  
**Subject:** Legal Activities, Inmate

## Institution Supplement

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1. PURPOSE To implement Federal Prison System policies and revise operating procedures for the Law Libraries at the Federal Correctional Institution and Federal Prison Camp, Phoenix, Arizona.
2. DIRECTIVES AFFECTED
  - A. Federal Bureau of Prisons Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999, is referenced.
  - B. Institution Supplement PHX 1315.07e, Legal Activities, dated September 3, 2008, is rescinded.
3. STANDARDS REFERENCED American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition Standards: 4-4268, 4-4269, 4-4273, 4-4274, 4-4275, 4-4276, 4-4500, and 4-4905.
4. SUPERVISION Supervision of the day to day operation of the Law Libraries shall be the responsibility of the Law Library/Leisure Library Coordinator. The Library Coordinator shall conduct daily sanitation and fire/safety inspections of the Law Libraries and inmate work areas. He/she shall ensure all equipment is in good working condition and necessary supplies are available. He/she shall coordinate an annual inventory of all legal materials and submit replacement orders when warranted.
5. PROCEDURES
  - A. Legal materials required in institutional Law Libraries by Program Statement 1315.07 will be issued by the inmate clerks upon request. Only Inmate Law Library Clerks and staff may enter the room in which materials are shelved. The library will not be opened for inmate use until an assigned clerk is present to work. The inmate must show his/her Commissary ID card to verify identity before material is issued and a log/checkout sheet will be maintained in the Law Library for accountability of the material.
  - B. All Law Library shelves will be inventoried against the log/checkout sheet at the end of each shift. Law Library materials which are removed from the designated area for research and/or typing of legal work will be considered contraband. An inmate is allowed to check out and have in his/her possession ONLY THREE law books at a time while, researching their cases in the Law Library. Inmates will not be allowed to remove law books or pocket parts from the Law Library at any time.
  - C. Law Library reference material will be signed out to the requesting inmate, who shall be financially liable for damage and/or loss of the material.

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DISTRIBUTION: Warden, Associate Wardens, Camp Administrator, Executive Assistant, All Department Heads, AFGE Local, Master File, P.S. File.

- D. In the event that an inmate can demonstrate to staff a requirement to meet an imminent court deadline, special time allowances for research and preparation of documents may be allowed. The inmate will be required to report to the Supervisor of Education in the designated area at the 7:15 a.m. work call and, except for the noon lunch break, remain until the 3:15 p.m. recall. The Education staff will inform the Associate Warden (Programs) weekly about inmate usage of this time. This will be used to consider any extensions requested by the inmate. In such instances, the inmate shall make a request for the special time allowance utilizing the locally produced institution form, Request for Special Time Allowance (Attachment A), designed for this purpose. This form shall be obtained from the inmate's Case Manager. The Request for Special Time Allowance, Section A, will be completed in its entirety by the requesting inmate and returned to the Case Manager. The Case Manager, Unit Manager and Associate Warden (Programs) or Camp Administrator will promptly review the request and indicate approval or disapproval as warranted. The fully approved request will be returned to the Case Manager for distribution as indicated on the request form, and return the attached documentation to the inmate. Disapproved requests will be returned to the inmate by the Case Manager together with all attached documentation. All other inmates will use the Law Libraries during their leisure time only.
- E. Inmates are required to purchase typewriter ribbon, and large brown legal envelopes from the commissary. Indigent inmates will be allowed to check out a ribbon from Education in exchange for their I.D. Card for a two hour time period each day. Indigency status will be verified through an inmate's unit team by an Education Department representative.
- F. Consistent with reasonable availability, manual typewriters will be provided for inmate use in preparing legal documents. Inmates with an approved Request for Special Time Allowance (see paragraph "d", above) will be given priority in the designated area for research and/or typing of legal work. Removal of library materials or equipment to another area will be cause for disciplinary action. Manual typewriters will not be made available for inmate use in the housing units. However, a manual typewriter will be placed in the Special Housing Unit.
- G. The Unit Counselors shall provide photocopies of legal documents for indigent inmates in accordance with Program Statement 1315.07. Inmates shall bear the cost of duplication when using the copier provided through the trust fund operation. If an inmate cannot access the copier in the Law Library, the Unit Counselor will duplicate the legal material with the same stipulations applying. The inmate shall pay for the copies through a Form 24, Request for Withdrawal of Inmate's Personal Funds.
- H. A community legal aid program is not presently available at this institution. Therefore, the Warden shall allow an inmate the assistance of another inmate during leisure time for the purpose of legal research and/or preparation of legal documents. No inmate will be allowed to accept money or other non-monetary compensation from another inmate in exchange for advice or preparation of legal materials. Any form of payment would constitute the operation of a business and would subject an inmate to disciplinary action.

- I. No inmate will be allowed to have in his/her possession another inmate's legal materials, except while assisting another inmate in the Law Library. The inmate being assisted must retrieve his/her legal property from the assisting inmate in the Law Library. If an inmate is placed in the Special Housing Unit and the inmate needs to return or retrieve legal material for a pending court deadline, the inmate's respective unit team will be responsible for coordinating the legal property exchange. This material must not contain the name, case number or any other reference to the inmate being assisted. Additionally, this material will be subject to a thorough search for the presence of contraband.
- J. Subject to limitations imposed by the need to avoid fire, sanitation, security, or housekeeping hazards, inmates confined in Administrative Detention, Disciplinary Segregation, or the Jail Unit shall be allowed access to a reasonable amount of legal materials. However, this legal material may not exceed one (1) cubic foot in volume. Inmates in such status may request legal materials from the Main Law Library by means of the Law Library Book and Legal Material Request, Segregation and Yuma Units form (Attachment B). Such requests will be forwarded by institution mail to the Education Department. Any deviation from this schedule will require the approval of the Associate Warden (I&E).
- K. Inmates in general population are limited to three (3) cubic feet of legal material in their living area. Inmates with pending open cases may be permitted to store legal materials in excess of three (3) cubic feet outside their living areas on a short term basis, not to exceed sixty (60) days. The respective Unit Manager will arrange for any necessary storage of excess legal materials. The excess legal material may not exceed 3 cubic feet.
- L. Staff are available to inmates for the administration of oaths. Nearly all Federal Court documents do not require a sworn oath. All that is required is an unsworn declaration. Exceptions to this rule include depositions or oaths of office. Additionally, some state court documents require a sworn oath. Case Managers are authorized by federal statute to administer oaths.
- M. Any violation of institution rules by a visiting attorney or other legal representative shall be immediately reported to the Attorney Advisor. The Attorney Advisor will in turn advise the Warden or his designee of the misconduct.

6. OFFICE OF PRIMARY RESPONSIBILITY Supervisor of Education.

//Signed//

Ricardo E. Chavez  
Warden

REQUEST FOR SPECIAL TIME ALLOWANCE

To: \_\_\_\_\_  
\_\_\_\_\_ Case Manager \_\_\_\_\_ Unit \_\_\_\_\_ Date \_\_\_\_\_

I request Special Time Allowance to be granted for legal research and preparation of documents in order to meet an imminent court deadline. The following information and documentation is submitted to substantiate my request. It is understood that all documentation will be returned to me regardless of the approval or denial of my request. By my signature below, I grant permission for the copying of any attached documentation needed by institution staff to enable processing of my request. I am aware I may only request a maximum of five (5) working days at a time and must reapply for an extension for anything beyond that date. I am also aware this will require me to report to Education at 7:15 AM work call and remain until 3:15 PM recall on those days granted to accomplish my research and preparation.

1. Days/Time Requested: \_\_\_\_\_
2. Court Date or Submission Deadline: \_\_\_\_\_
3. Court Location and Name: \_\_\_\_\_
4. Type of Legal Proceeding: \_\_\_\_\_
5. Case or Docket Number: \_\_\_\_\_
6. Proceeding pro se: \_\_\_\_\_ Yes \_\_\_\_\_ No
7. Proceeding in Forma Pauperis: Yes \_\_\_\_\_ No \_\_\_\_\_
8. Attached Documentation: (Continued on back if necessary)  
  
A. \_\_\_\_\_  
B. \_\_\_\_\_  
C. \_\_\_\_\_  
D. \_\_\_\_\_  
E. \_\_\_\_\_  
F. \_\_\_\_\_  
G. \_\_\_\_\_

\_\_\_\_\_  
Inmate's Signature/Register No. \_\_\_\_\_ Unit \_\_\_\_\_ Work Assignment \_\_\_\_\_  
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NOTE: If you fully demonstrate a requirement to meet an imminent court deadline in your request, it can be disposed of promptly. You will be interviewed, if necessary, in order to satisfactorily handle your request. Your failure to fully establish a legitimate need for additional time to perform research and prepare legal documents will subject the request to disapproval.  
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APPROVED/DISAPPROVED: \_\_\_\_\_  
Case Manager \_\_\_\_\_ Date \_\_\_\_\_  
APPROVED/DISAPPROVED: \_\_\_\_\_  
Unit Manager \_\_\_\_\_ Date \_\_\_\_\_  
APPROVED/DISAPPROVED: \_\_\_\_\_  
AW/Camp Administrator \_\_\_\_\_ Date \_\_\_\_\_

Remarks:

Assigned to Education \_\_\_\_\_ (days) from \_\_\_\_\_ thru \_\_\_\_\_

Extension APPROVED/DISAPPROVED for \_\_\_\_\_ (days) thru \_\_\_\_\_.

cc: AWI&E, SOE, Library Coordinator, Detail Foreman

LAW LIBRARY BOOK AND LEGAL MATERIAL REQUEST  
SEGREGATION UNIT

ORDER NUMBER # \_\_\_\_\_

Date \_\_\_\_\_

TO THE EDUCATION DEPARTMENT MAIN LAW LIBRARY

MATERIAL REQUESTED: NOTICE, A MAXIMUM REQUEST OF 5 ITEMS PER WEEK WILL BE FILLED. WHEN REQUESTING CASE REFERENCES, PLEASE INCLUDE THE FOLLOWING INFORMATION: CASE TITLE, CASE CITE INCLUDING VOLUME NUMBER, EDITION, PAGE NUMBER, AND BOOK TITLE. ALL ITEMS ARE FOR ONE WEEK LOAN ONLY AND MUST BE RETURNED INTACT.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

NOTICE: ONLY SPECIFIC CASES WILL BE COPIED. ENTIRE TEXTBOOKS CANNOT BE LOANED DUE TO AVAILABILITY LIMITATIONS.

INMATE'S NAME \_\_\_\_\_ REG. NO. \_\_\_\_\_

CURRENT HOUSING UNIT \_\_\_\_\_  
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DATE REQUEST RECEIVED IN EDUCATION \_\_\_\_\_

DATE MATERIAL DELIVERED TO UNIT \_\_\_\_\_

DATE RETURNED TO EDUCATION \_\_\_\_\_  
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REMARKS: THE ABOVE REQUESTED MATERIAL HAS BEEN LOGGED OUT ON A LOAN BASIS FROM THE MAIN LAW LIBRARY. THE INMATE, BY HIS SIGNATURE, AGREES THAT ALL ITEMS LISTED ABOVE WILL BE RETURNED INTACT WITHIN SEVEN DAYS FROM HIS SIGNED RECEIPT.

SIGNATURE OF INMATE \_\_\_\_\_ DATE OF RECEIPT \_\_\_\_\_  
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COMMENTS:

\_\_\_\_\_  
STAFF SIGNATURE